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POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

PRESIDING OFFICER'S
RULING NO. C2001-1/12

UNITED STATES OF AMERICA
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268-0001

Complaint on Sunday and Holiday Collections

Docket No. C2001-1

PRESIDING OFFICER'S RULING ON
MOTION TO COMPEL THE UNITED STATES POSTAL SERVICE
TO RESPOND TO INTERROGATORY DBP/USPS-14

(Issued August 23, 2001)

On August 14, 2001, David B. Popkin filed a motion to compel the Postal Service to provide a satisfactory response to interrogatory DBP/USPS-14.¹ He indicates that the Postal Service has not answered the interrogatory. An initial response to this interrogatory, which was the subject of a previous motion to compel, was filed by the Postal Service on August 7, 2001.² The interrogatory concerns the public availability of the Postal Operations Manual (POM) and the reliance that the public might place in the POM. The Postal Service responded in opposition to the instant Motion on August 21, 2001.³ The Service submits that it has answered the question asked.

The standard that will be applied to rule on this Motion is to review the interrogatory and answer, and to determine if the answer is responsive to the

¹ David B. Popkin Motion to Compel Response to Interrogatory DBP/USPS-14 to the United States Postal Service and Potential Motion for Late Acceptance, filed August 14, 2001 (Motion).

² Compelled Responses of the United States Postal Service to DFC/USPS-53 and DBP/USPS-14, Status Report on DFC/USPS-50, and Motion for Late Acceptance, filed August 7, 2001 (Compelled Response).

³ Response of the United States Postal Service in Opposition to the Popkin Motion to Compel a Further Response to DBP/USPS-14, filed August 21, 2001 (Response).

interrogatory.⁴ Whether the answer is satisfactory to the requestor, or whether a more detailed answer could have been provided, is not persuasive. After review, the Postal Service is found to have provided a responsive answer to the interrogatory. Therefore, the Motion to compel a further response to interrogatory DBP/USPS-14 is denied.

Outstanding Motion. The Postal Service's initial Compelled Response contained a motion for late acceptance for interrogatories DFC/USPS-53, DBP/USPS-14, and DFC/USPS-50. The answer to the last interrogatory to be filed, DFC/USPS-50, was filed on August 17, 2001.⁵ With all answers having been filed, the Postal Service motion for late acceptance is granted.

RULING

1. The David B. Popkin Motion to Compel Response to Interrogatory DBP/USPS-14 to the United States Postal Service and Potential Motion for Late Acceptance, filed August 14, 2001, is denied.
2. The motion for late acceptance contained within Compelled Responses of the United States Postal Service to DFC/USPS-53 and DBP/USPS-14, Status Report on DFC/USPS-50, and Motion for Late Acceptance, filed August 7, 2001, is granted.


Ruth Y. Goldway
Presiding Officer

⁴ There was very limited argument in the Motion to consider. This restricts the options available in applying any standard to rule on this Motion.

⁵ Compelled Response of the United States Postal Service to DFC/USPS-50, filed August 17, 2001.